

The resolution (S. Res. 180) was agreed to.

Ms. DUCKWORTH. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

CONSIDER TEACHERS ACT OF 2021

Ms. DUCKWORTH. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 848 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 848) to amend the Higher Education Act of 1965 in order to improve the service obligation verification process for TEACH Grant recipients, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Ms. DUCKWORTH. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 848) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consider Teachers Act of 2021".

SEC. 2. TEACH GRANTS.

Section 420N of the Higher Education Act of 1965 (20 U.S.C. 1070g-2) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A), by inserting "(referred to in this section as the 'service obligation window')" after "under this subpart";

(B) in subparagraph (C)(vii), by inserting "or geographic area" after "field"; and

(C) by striking subparagraphs (D) and (E) and inserting the following:

"(D) submit a certification of employment by the chief administrative officer of the school in accordance with subsection (d)(5); and

"(E) meet all State certification requirements for teaching (which may include meeting such requirements through a certification obtained through alternative routes to teaching);";

(2) in subsection (c)—

(A) by striking "In the event" and inserting the following:

"(1) IN GENERAL.—In the event"; and

(B) by adding at the end the following:

"(2) RECONSIDERATION OF CONVERSION DECISIONS.—

"(A) REQUEST TO RECONSIDER.—In any case where the Secretary has determined that a recipient of a grant under this subpart has failed or refused to comply with the service obligation in the agreement under subsection (b) and has converted the grant into a Federal Direct Unsubsidized Stafford Loan under part D in accordance with paragraph (1), (including a TEACH Grant converted to a loan prior to the date of enactment of the Consider Teachers Act of 2021 and including cases where such loans have been fully or partially paid), the recipient may request that the Secretary reconsider such initial determination and may submit additional information to demonstrate satisfaction of the service obligation. Upon receipt of such a request, the Secretary shall reconsider the determination in accordance with this paragraph not later than 90 days after the date that such request was received.

"(B) RECONSIDERATION.—If, in reconsidering an initial determination under subparagraph (A) (including reconsideration related to a TEACH Grant that was converted to a loan prior to the date of enactment of the Consider Teachers Act of 2021 and including cases where such loans were fully or partially paid), the Secretary determines that the reason for such determination was the recipient's failure to timely submit a certification required under subsection (b)(1)(D) (as in effect on the day before the date of enactment of the Consider Teachers Act of 2021), an error or processing delay by the Secretary, a change to the fields considered eligible for fulfillment of the service obligation (as described in subsection (b)(1)(C)), a recipient having previously requested to have the TEACH Grant converted to a loan, or another valid reason determined by the Secretary, and that the recipient has, as of the date of the reconsideration, demonstrated that the recipient did meet, or is meeting the service obligation in the agreement under subsection (b), the Secretary shall—

"(i) discharge the Federal Direct Unsubsidized Stafford Loan under part D, and reinstate the recipient's grant under this subpart;

"(ii) discharge any interest or fees that may have accumulated during the period that the grant was converted to a Federal Direct Unsubsidized Stafford Loan under part D;

"(iii) if the recipient has other loans under part D, apply any payments made for the Federal Direct Unsubsidized Stafford Loan under part D during such period to those other loans under part D;

"(iv) if the recipient does not have other loans under part D, reimburse the recipient for any amounts paid on the Federal Direct Unsubsidized Stafford Loan under part D during such period;

"(v) request that consumer reporting agencies remove any negative credit reporting due to the conversion of the TEACH Grant to a loan; and

"(vi) use the additional information provided under subparagraph (A) to determine the progress the recipient has made in meeting the service obligation.

"(C) EXTENSION OF TIME TO COMPLETE SERVICE OBLIGATION.—In the case of a recipient whose TEACH Grant was reinstated in accordance with subparagraph (B), the Secretary shall, upon such reinstatement—

"(i) extend the time remaining for the recipient to fulfill the service obligation described in subsection (b)(1) to a period of time equal to—

"(I) 8 years; minus

"(II) the number of full academic years of teaching that the recipient completed prior to the reconversion of the loan to a TEACH Grant under subparagraph (B), including any years of qualifying teaching completed dur-

ing the period when the TEACH Grant was in loan status; and

"(ii) treat any full academic years of teaching described in clause (i)(II) as years that count toward the individual's service obligation (regardless of whether the TEACH Grant funds were in grant or loan status) if that time otherwise meets the requirements of this section."; and

(3) in subsection (d), by adding at the end the following:

"(3) COMMUNICATION WITH RECIPIENTS.—The Secretary shall notify TEACH grant recipients not less than once per calendar year regarding how to submit the employment certification under subsection (b)(1)(D) and the recommendations and requirements for submitting that certification under subsection (d)(5).

"(4) QUALIFYING SCHOOLS AND HIGH-NEED FIELDS.—The Secretary shall maintain and annually update a list of qualifying schools as described in subsection (b)(1)(B), and a list of high-need fields as described in subsection (b)(1)(C) and shall make such lists publicly available on the Department's website in a sortable and searchable format."

SEC. 3. SUBMISSION OF EMPLOYMENT CERTIFICATION.

Section 420N(d) of the Higher Education Act of 1965 (20 U.S.C. 1070g-2(d)), as amended by section 2, is further amended by adding at the end the following:

"(5) SUBMISSION OF EMPLOYMENT CERTIFICATION.—

"(A) RECOMMENDED SUBMISSIONS.—The Secretary shall notify TEACH Grant recipients that the Department recommends that TEACH Grant recipients submit the employment certification described in subsection (b)(1)(D) as soon as practicable after the completion of each year of service.

"(B) REQUIRED SUBMISSION.—A TEACH Grant recipient shall be required to submit to the Department employment certification within the timeframe that would allow that individual to complete their service obligation before the end of the service obligation window.

"(C) NOTIFICATION.—The Secretary shall notify TEACH Grant recipients of the required submission deadlines described in this paragraph.

"(D) ADJUSTMENT OF DEADLINE.—The Secretary shall adjust the submission deadline described in subparagraph (B) to account for a service obligation window extension.

"(E) ALTERNATIVE TO CERTIFICATION.—The Secretary shall provide an alternative to the certification of employment described in subsection (b)(1)(D) for recipients who cannot obtain such required certification of employment from the chief administrative officer of the school because the recipient can demonstrate the school is no longer in existence or the school refuses to cooperate."

SEC. 4. EXTENSION OF TIME TO FULFILL SERVICE OBLIGATION DUE TO COVID-19.

(a) Section 3519(a) of the CARES Act (Public Law 116-136; 20 U.S.C. 1001 note) is amended—

(1) in the matter preceding paragraph (1), by striking "For the purpose of section 420N of the Higher Education Act of 1965 (20 U.S.C. 1070g-2), during a qualifying emergency," and inserting "Notwithstanding any provision of subpart 9 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070g et seq.);";

(2) in paragraph (1), by striking "and" after the semicolon;

(3) in paragraph (2), by striking "such section 420N," and inserting "section 420N of such Act; and"; and

(4) by adding at the end the following:

"(3) shall extend the service obligation window (as described in section 420N(b)(1)(A)

of such Act) for a period of not more than 3 years, in addition to any extensions provided in accordance with subpart 9 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070g et seq.), in the case of a grant recipient whose service obligation window begins during, or includes—

“(A) the qualifying emergency period; or
“(B) a period of recession or economic downturn related to the qualifying emergency period, as determined by the Secretary in consultation with the Secretary of Labor.”.

(b) Section 3519 of the CARES Act (Public Law 116-136; 20 U.S.C. 1001 note) is amended by adding at the end the following:

“(c) FEDERAL PERKINS LOANS.—Notwithstanding section 465 of the Higher Education Act of 1965 (20 U.S.C. 1087ee), the Secretary shall waive the requirements of such section in regard to full-time service and shall consider an incomplete year of service of a borrower as fulfilling the requirement for a complete year of service under such section, if the service was interrupted due to a qualifying emergency.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the CARES Act (Public Law 116-136).

SEC. 5. IMPLEMENTATION.

In carrying out this Act and any amendments made by this Act, or any regulations promulgated under this Act or under such amendments, the Secretary of Education may waive the application of—

(1) subchapter I of chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”);

(2) the master calendar requirements under section 482 of the Higher Education Act of 1965 (20 U.S.C. 1089);

(3) negotiated rulemaking under section 492 of the Higher Education Act of 1965 (20 U.S.C. 1098a); and

(4) the requirement to publish the notices related to the system of records of the agency before implementation required under paragraphs (4) and (11) of section 552a(e) of title 5, United States Code (commonly known as the “Privacy Act of 1974”), except that the notices shall be published not later than 180 days after the date of enactment of this Act.

ORDERS FOR WEDNESDAY, APRIL 28, 2021

Ms. DUCKWORTH. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, April 28; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; finally, that the cloture motion on the Power nomination ripen at 12:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. DUCKWORTH. For the information of Senators, members attending the joint session of Congress should gather in the Senate Chamber at 8:15 p.m. to proceed as a body to the Hall of the House for President Joe Biden's address.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. DUCKWORTH. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:10 p.m., adjourned until Wednesday, April 28, 2021, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

ROBERT FARRELL BONNIE, OF VIRGINIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM PRODUCTION AND CONSERVATION, VICE WILLIAM NORTHEY.

DEPARTMENT OF DEFENSE

GILBERT RAY CISNEROS, JR., OF CALIFORNIA, TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE MATTHEW P. DONOVAN.

BRENDA SUB FULTON, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE JAMES N. STEWART.

ELY STEFANSKY RATNER, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE RANDALL G. SCHRIVER.

DEPARTMENT OF ENERGY

FRANK A. ROSE, OF MASSACHUSETTS, TO BE PRINCIPAL DEPUTY ADMINISTRATOR, NATIONAL NUCLEAR SECURITY ADMINISTRATION, VICE WILLIAM BOOKLESS.

DEPARTMENT OF DEFENSE

DEBORAH G. ROSENBLUM, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE GUY B. ROBERTS, RESIGNED.

SHAWN GRAHAM SKELLY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE VERONICA DAIGLE, RESIGNED.

NATIONAL INSTITUTE OF BUILDING SCIENCES

KIMBERLY L. JONES, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2023, VICE JAMES TIMBERLAKE, TERM EXPIRED.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SOLOMON JEFFREY GREENE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE SETH DANIEL APPLETON, RESIGNED.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

MARGARET VO SCHAUS, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, VICE JEFFREY DEWIT, RESIGNED.

DEPARTMENT OF TRANSPORTATION

AMITABHA BOSE, OF NEW JERSEY, TO BE ADMINISTRATOR OF THE FEDERAL RAILROAD ADMINISTRATION, VICE RONALD L. BATORY.

ROBERT CORNELIUS HAMPSHIRE, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION. (NEW POSITION)

CARLOS ALBERTO MONJE, JR., OF LOUISIANA, TO BE UNDER SECRETARY OF TRANSPORTATION FOR POLICY, VICE DEREK KAN.

CAROL ANNETTE PETSONK, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE JOEL SZABAT.

DEPARTMENT OF COMMERCE

RICHARD W. SPINRAD, OF OREGON, TO BE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE KATHRYN D. SULLIVAN, RESIGNED.

DEPARTMENT OF ENERGY

SHALANDA H. BAKER, OF TEXAS, TO BE DIRECTOR OF THE OFFICE OF MINORITY ECONOMIC IMPACT, DEPARTMENT OF ENERGY, VICE JAMES EDWARD CAMPOS.

ASMERET ASEFAW BERHE, OF CALIFORNIA, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY, VICE CHRISTOPHER FALL.

DEPARTMENT OF THE INTERIOR

CYNTHIA WEINER STACHELBERG, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE SUSAN COMBS.

TRACY STONE-MANNING, OF MONTANA, TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT, VICE NEIL GREGORY KORNZE.

ENVIRONMENTAL PROTECTION AGENCY

RADHIKA FOX, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE DAVID ROSS.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

MELANIE ANNE EGORIN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE SARAH C. ARRES.

DEPARTMENT OF STATE

MONICA P. MEDINA, OF MARYLAND, TO BE ASSISTANT SECRETARY OF STATE FOR OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS, VICE KERRI-ANN JONES, RESIGNED.

TODD D. ROBINSON, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS), VICE KIRSTEN DAWN MADISON.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

CATHERINE A. MCLAUGHLIN, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2024, VICE SHAMINA SINGH, TERM EXPIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

MIRIAM E. DELPHIN-RITTMON, OF CONNECTICUT, TO BE ASSISTANT SECRETARY FOR MENTAL HEALTH AND SUBSTANCE USE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE ELINORE F. MCCANCE-KATZ.

NATIONAL MEDIATION BOARD

DEIRDRE HAMILTON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2022, VICE KYLE FORTSON, TERM EXPIRED.

DEIRDRE HAMILTON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2025. (REAPPOINTMENT)

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

CYNTHIA C. HOGAN, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING FEBRUARY 8, 2024, VICE LISA M. QUIROZ, TERM EXPIRED.

DEPARTMENT OF LABOR

RAJESH D. NAYAK, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE WILLIAM E. SPRIGGS, RESIGNED.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

SHIRLEY SACHI SAGAWA, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2024, VICE JANE D. HARTLEY, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

CHRIS INGLIS, OF MARYLAND, TO BE NATIONAL CYBER DIRECTOR. (NEW POSITION)

DEPARTMENT OF HOMELAND SECURITY

ROBERT PETER SILVERS, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY FOR STRATEGY, POLICY, AND PLANS, DEPARTMENT OF HOMELAND SECURITY, VICE CHAD F. WOLF.

DEPARTMENT OF THE INTERIOR

BRYAN TODD NEWLAND, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE TARA SWEENEY.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

STACEY A. DIXON, OF THE DISTRICT OF COLUMBIA, TO BE PRINCIPAL DEPUTY DIRECTOR OF NATIONAL INTELLIGENCE, VICE SUSAN M. GORDON.

DEPARTMENT OF JUSTICE

HELAIANE ANN GREENFELD, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE STEPHEN ELLIOTT BOYD.

DEPARTMENT OF VETERANS AFFAIRS

DONALD MICHAEL REMY, OF LOUISIANA, TO BE DEPUTY SECRETARY OF VETERANS AFFAIRS, VICE JAMES BYRNE.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. PAUL J. LACAMERA

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DAVID R. STORR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203: